

REMARKS

Claims 1-27 remain pending in the application.

Double Patenting

In the Office Action, claims 1-27 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being obvious over claims 1-27 of co-pending U.S. Pat. Appl. No. 10/739,289 (hereinafter "the '289 application").

A Terminal Disclaimer is attached hereto that disclaims any terminal portion of a patent issuing herefrom that extends beyond the full statutory period of any patent issuing from the co-pending '289 application.

It is respectfully requested that the provisional rejection now be withdrawn.

Claims 1-27 over Turtiainen and/or in view of Complete PC Solution

Claims 1, 2, 8-13, 19-24 and 27 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Publication No. 2002/0059516 A1 to Turtiainen et al. (hereinafter referred to as "Turt"); and claims 3-7, 14-18, 25 and 26 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Turt in view of "The complete PC solution for the KIV-7" (2002) (hereinafter referred to as "Complete PC Solution"). The Applicant respectfully traverses the rejections.

Claims 1-23 recite a method and apparatus for cloaking an encrypted serial data stream, comprising encapsulating a serial data stream of encrypted data into IP packets, and transmitting the IP packets of encrypted serial data on a public IP network. Claims 24-27 recite means for encrypting a data stream into an encrypted serial data stream, means for encapsulating the encrypted serial data stream for transmission to another secure communications device using IP protocol, and means for routing the encapsulated, encrypted serial data stream over an Internet.

Turtiainen teaches transmission of IP Sect type data over IP/Internet connections. Turiainen teaches transmission of data that is natively IP.

The present invention, as recited by claims 1-27, requires encapsulation of an encrypted serial data stream (which IP is not natively designed to do). This encapsulation of an encrypted serial data stream makes the data virtually unrecognizable by any IP device.

The Examiner cites the Complete PC Solution for allegedly teaching transmission of IP packets via an ISDN router.

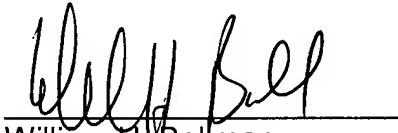
Neither Turtiainen nor the Complete PC Solution disclose, teach or suggest transmission of an encrypted serial data stream as variously required by claims 1-27.

For these and other reasons, claims 1-27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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